

***United States Court of Appeals***

FIFTH CIRCUIT  
OFFICE OF THE CLERK

CHARLES R. FULBRUGE III  
CLERK

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August 31, 2007

Mr Michael N Milby, Clerk  
Southern District of Texas, Houston  
United States District Court  
Room 1217  
515 Rusk Avenue  
Houston, TX 77002

No. 05-20956 Berquist v. Washington Mutual Bk  
USDC No. 4:04-CV-376

Dear Mr Milby:

In light of the court's new opinion, the mandate is hereby recalled.

Enclosed please find the opinion which substitutes for the original opinion dated July 12, 2007.

This opinion is issued as and for the mandate.

Sincerely,

CHARLES R. FULBRUGE III, Clerk

By: Jamei Richey  
Jamei Richey, Deputy Clerk

Enclosure

cc: Honorable Keith P Ellison  
Mr Joseph Y Ahmad  
Mr Robert Lewis Ivey  
Mr Jeffrey C Londa